Preserve

pp. F. IX-4

1932.
(Meezhai)

File No. 330-3

Serial Nos. 1-5

Previous References

Mez 56-1897-98
85 1-9.

Later References

4 5 33. 1

General and Revenue Secretariat.

Serial Nos. 5

Part B for January 34.

SUBJECT.

Appeal of Kudli Ramabhatta archak of Bramheswara temple Kudli for payment of arrears of Nanda deepa amount due to him.

To The Mez Comr

No. 937 G. 9-1 34

Forwards a Copy of the order rejecting the appeal

85

General and Revenue Secretariat — File No. 330 of 1932-33

Serial No.

1 Petition of 10.10.32 filed by messrs M.P. Sma-Sekhara Rao & M.P. Krishnaswami on behalf of his client Kudli Ranganathaiya Archan of Sri Brahmeswara temple Kudli. Shimoga Taluk appealing against the order of the Muzrai Commissioner in the matter of the payment of Nandadeepa amount due to him

(1) The petn is presented in time & is sufficiently stamped. For ends of the appeal may be admitted & records called for.

G.V. 19/10

2) Records may be called for

21/10/32.

For Secy)

(R. M.)

3) 24/10

4) 25/10/32

5

6) Done 29/10

G.V. 25/10

2 No 687 of 2/11/32 to the Muzrai Commissioner calling for records connected to the case.

3 Letter no C 463/32-33 of 20.1.33 from The Muzrai Commissioner submitting records connected to the appeal of

Note—Contn. Sheet.

31 OCT. 1932 CENTL & REV SECTT

Kudli Rangappa Shetty Archak of Sri Brahmeswara temple at Kudli Shimoga Taluk about the arrears of Nandadeepa Amount stated to be due to him

Vide Shimoga Amildar's report of 16/10/27 in which it is stated that Sri Brahmeswara Swamy temple was brought under the management of Govt in their order of 1906-07 - The number and date of the G.O. is not forthcoming after issue the Vernacular records in the file or from the file of the Mun. Commr's Office - Efforts are being made to find out whether this order of 1906-07 is to be repealed with a note as soon as it is traced - A

G.S. 3/2

Yes - Meantime ask petr. to produce copy of Mr.'s order as stated in Para (1) in the concluding portions of the petn.

4/2/33

Time to be invited. [The records show that no requisition appeal was on the file of the Mun. Commr's Court & heard him. The order passed are on the proceedings made by the D.C. Shimoga in the matter of Nandadeepa amount due to the archak

6/2

Mug appl 7 of 32-33 re: arrears of Nandadeepa amount stated to be due to the petitioner.

[App. F. III—2

General and Revenue Secretariat — Mug File No. of 1932-3

Serial No

No 11969 of 8-2-33 to Mr M.P Somasekhara Rao Advocate Chickpet Bangalore city - calling for additional grounds if he wishes to urge in the matter.

Information called for from the Advocate for petitioner is not received - Dfr. reminder submd -

It is also submd that this is a matter to be dealt with after we hear from the Advocate what all he intends adding to the Plaint

Not Necessary 8/5/9

5/9

It is also submd that the Advocate for the petitioner has said in Note (1) (vide P. 4-a) that he would produce additional grounds after procuring copy of the decision given by the M.C. which he has failed

What is the result of action promised to be taken as at A overleaf. This file has been unnecessarily delayed being submd. What is the C.R.O. explanation for the delay? Let me have a rept tomorrow alone. 5/9/33

Efforts made to trace the file containing the G.O. bringing the lease in question under Govt management have not been successful.

NOTE—Contn Sheet

submit so far as I am that the file could not be resubmitted awaiting this information either from the appellant petitioner or from his Pleader.

Though the lentable is stated to have come under the management of Gov, it is stated that from a perusal of the records it can be seen that no scale appears to have been fixed for the institution.

The claim of the petitioner is for the arrears of Nandabeda which latter is stated in the records to fall under Nityakatale charges - the reference is intended to the Office file flagged R. The facts of the case are as in paras 1-4, 6-9, 10-13 of the file belonging to the C's Office

It is a matter for the petitioner to prove the actual charges he has incurred in carrying into the Nandabeda arrears claimed

vers —

The M.C. has injured the

Mez appl 7 of 32-33 about the purchase of Sri Brahmeshwara Temple Kuthi Srinagar w/o for arrears of rent & recovery.

General and Revenue Secretariat

Mez File No. of 1933-4

Serial No.

Claim after carefully going into the records as will be evidenced by the notes in M.C's office file (Flags D—R) put up. The ~~[illegible]~~ points urged by the petr in his appeal petn have been looked into by the M.C. already. The petition may properly be rejected

27/9/33

Office of the Second Member of Council. 5 OCT. 1933 No. 207

Jl Secy)

22) The grounds of rejection are clearly set forth in the notes of the M.C's office file. No new grounds have been put forth in the appeal petition. May, I think, be rejected.

5.10.33

2d Member)

21) May be given a hearing before disposal. Meanwhile put the case

Posted to Saturday the 11th Nov 1933 Time 2 P.M.

6/10

9/10

Heard Mr Somasekhara Rao for the appellant. Orders reserved

11/10

23) I have heard counsel for the appellant. I do not consider that any case is made out for reversing the M.C's order. The appeal is rejected.

28/12

NOTE—Contn. Sheet.

P/L
94

Inc 5/1/34

SECTION
JAN 19
GEN. & REV SECT

No 937 of 9.1.34 to the Mysore Commissioner communicating the decision in the case referred to therein.

No 938 of 9.1.34 to Mr M. P. Somasekharaiah Advocate for the petitioner forwarding copy of the decision.

OB
27/1/34

COURT FEE
TWO RUPEES
GENL. & REV. SECRETARIAT
422
11 OCT. 1932
MUZRAL

Mez 330 -32-1 Petition B.

BEFORE THE GOVERNMENT OF MYSORE.

Muzrai Appeal No. 7 of 1932-33.

APPELLANT:- Kudli Rangabhatta, Archak of Sri Brahmeswara Temple, Kudli, Shimoga Taluk.

The Appellant most respectfully begsto submit as follows:-

1. He is the Braward Archak of the Sri Kudli Brahmeswara Devaru Temple at Kudli in the Shimoga District.

2. The said temple of Sri Brahmeswara Devaru is a Muzrai Institution endowed with Inam lands.

3. The institution was in the management of the Vahivatdars prior to 1906-07 when it was taken over under Government management.

4. The petitioner is in the enjoyment of certain Inam lands given for the services of Paditara and has been doing Nityakatle Services regularly and satisfactorily.

5. Besides the income derived by the petitioner from the said Inam lands, a sum of Rs.24-0-0 was being paid to him annually prior to 1906-07 towards Nanda Deepa out of the general income of the temple. The accounts maintained in the Taluk Office for all the years prior to 1906-07 will bear testimony to this payment having been made for Nanda Deepa.

6. Since 1906-07 when the institution was taken over under Government management, the grant for Nanda Deepa has not been paid to the applicant. The applicant has been ~~this~~ doing this service in the temple regularly and has been pressing for payment of the grant ever since.

7. The villagers are fully aware that this Nanda Deepa service is being done every day. The records bearing on this subject will ~~speak~~ also evidence the fact.

8. The local officers-the Deputy Commissioner, the Sub Division Officer and the Amildar have all supported the petitioner's claim and recommended for the disbursement of Rs.24-0-0 per year since 1906-07.

9. The Muzrai Commissioner, however, has passed an order dated 6th May 1932, rejecting the petitioner's claim holding that there were no sufficient grounds for ~~the~~ payment of the grant.

10. This order was communicated to the appellant by the Amildar in his Endorsement No.C.23/27-28, dated the 9th September 1932.

From this order the petitioner begs to prefer this appeal under Section 389 of the Mysore Religious and Charitable Institutions Regulation and submits the following among other grounds in support of his appeal:-

(a) The Muzrai Commissioner erred in not looking into and relying upon the ~~religious~~ registers and accounts previous to 1906-07 which show the yearly disbursement of the

grant claimed by the petitioner for Nanda Deepa and entirely support the petitioner's claim.

(b) The income derived from the Paditara Inam lands is very small as the major portions of the lands are uncultivable and infertile which the remaining portions have no water supply and there is also difficulty in finding ryots to cultivate some of the lands. The said income is totally inadequate even as remuneration for the ordinary services of the petitioner as Arachak such as Archana and Sahasranama etc., such being the case, it is impossible for the appellant to maintain the Nanda Deepa out of the said income and the appellant is too poor to meet the cost of Nanda Deepa.

(c) The Muzrai Commissioner has apparently been under an erroneous impressions that Nanda Deepa was included in Nityagatle and the appellant begs to submit with respect that that is not correct.

(d) The appellant begs to state that the claim of the Paracharak, for his pay which had not been settled since 1906-07 when the Government assumed management was recently upheld and all arrears were disbursed to him.

(e) The appellant submits that the custom prevailing before 1906-07 as borne out by the registers and accounts available in the Taluk Office is sufficient authority for the (payment of Rs.24/- per year for Nanda Deepa) expenses and prays that the said registers and accounts may be sent for and his statements verified therefrom.

(f) The appellant's claim and his contentions are supported by the villagers, the Dharmadarsis of the

No. C-22/27-28
9/9/32

జ్ఞాపకము

శ్రీ వవిలాల సంస్థానము నందు అమలాపురపు రాట్ట వితరణ

కొరకు ప్రత్యేకాధికారి నియమించుట గురించి

నీవు ప్రత్యేకాధికారి యగుట నిమిత్తము

పంపిన తీర్మానములు - 1907-08 సం॥ నుండి కలెక్టరు వారి

వద్ద నున్నవి. మీరు ఇచ్చిన సమాచారమును బట్టి నీవు మీరు వెంటనే

పనికి చేరుట కొరకు ఈ సంగతి తెలియపరచుచున్నాము. కనుక

మీరు పనిలో చేరినట్లు తేదీ తెలియపరచుచున్నాము. కనుక

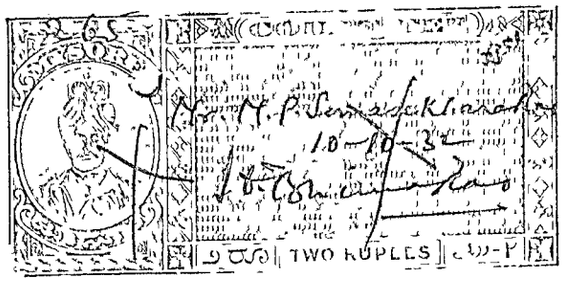
మీరు పనిలో చేరినట్లు తేదీ తెలియపరచుచున్నాము.

నెం. 773/31-32 తేదీ 2/4/5-32

నెం. 731/27-28 తేదీ 20/5/32

కార్యదర్శి

9/9/32



Before the Government of Mysore, Bangalore ಕೋರ್ಟಿಗೆ. /2

೧೯೩ — ೧೯೩ ನೇ Mujrai Appeal ನಂಬರು

ವಾದಿ ಅರ್ಜಿದಾರ್ ಪ್ರತಿವಾದಿ ಅಪೋನೆಂಟ್

Kuthi Rangabhatta
Archak of Brahmanar
Temple, Kuthi,
Shimoga Taluq

Vs.

Mr. M. P. Somasekhara Rao, B.A., L.L.B. & M.P. Krishnaswamy B.A. (I.B.), Advocates Bangalore

ಮ॥ ರಾ॥ ನಿಟ್ಟೂರ ಶ್ರೀನಿವಾಸ ರಾವ್, ಬಿ. ಎಸ್‌ಸಿ., ಬಿ. ಎಲ್., ಅಡ್ವೋಕೇಟ್,
ಚಿಕ್ಕಪೇಟೆ, ಬೆಂಗಳೂರು ಸಿಟಿ, ಇವರಿಗೆ

Appellant ಬರಸಿಕೊಟ್ಟ ವಕಾಲತ್‌ನಾಮಾ

ಈ ಮೊಕದ್ದಮೆಯಲ್ಲಿ ತಾವು ನನ್ನ ಪರವಾಗಿ ಕೊನೆಯವರೆಗೂ ಕೋರ್ಟಿನಲ್ಲಿ ವಿವಾದ ಜರುಗಿಸುವದಕ್ಕೂ ನನ್ನ ಪರವಾಗಿ ಆಗುವ ಎಲ್ಲಾ ವಿಧವಾದ ಆರ್ಡರುಗಳನ್ನೂ ಡಿಕ್ರಿಗಳನ್ನೂ ಜಾರಿ ಕ್ರಮ ನಡೆಸಿ ಹಣ ವಸೂಲು ಮಾಡಿ ಕೊಳ್ಳುವದಕ್ಕೂ ನನಗೆ ಕೋರ್ಟಿನಿಂದ ಸಲ್ಲಬೇಕಾಗಿರುವ ಡಿಕ್ರಿ ಹಣ ಬಾಕಿ ಹಣ ಸಹ ಪಡೆಯಲಿಕ್ಕೂ ದಸ್ತೈವಜು ವಗೈರೆಗಳನ್ನು ವಾಪಸು ಪಡೆಯಲಿಕ್ಕೂ ಮತ್ತು ನನ್ನ ಪರವಾಗಿ ಮೊಕದ್ದಮೆಯನ್ನು ರಾಜೀ ಮಾಡಿಕೊಳ್ಳುವದಕ್ಕೂ ಸಹ ತಮಗೆ ಈ ಮೂಲಕ ಸಂಪೂರ್ಣ ಅಧಿಕಾರ ಕೊಟ್ಟಿದ್ದೇನೆ. ಅಲ್ಲದೆ ತಾವಾಗಲಿ ತಮಗೋಸ್ಕರ ಮತ್ತಾವ ಲಾಯರಾಗಲಿ ಈ ಮೊಕದ್ದಮೆಯಲ್ಲಿ ನಡೆಸುವ ಎಲ್ಲಾ ಕೆಲಸಗಳನ್ನೂ ನಾನು ಸ್ವತಃ ಇದ್ದು ನಡೆಸಿದಂತೆ ಒಪ್ಪಿ ಕೊಳ್ಳಲು ಬದ್ಧನಾಗಿ ಇದ್ದೇನೆ.

ಬೆಂಗಳೂರು ಸಿಟಿ.
ತಾರೀಖು 22.7.932 } ರುಜು

ಈ ಮೊಖ್ತ್ಯಾರುನಾಮೆಯನ್ನು ಕೊಟ್ಟವರು ನನಗೆ ಪರಿಚಯಸ್ತರಾಗಿ ನನ್ನ ಸಮಕ್ಷಮ ರುಜು ಮಾಡಿರುತ್ತಾರೆ.

ಈ ಮೊಖ್ತ್ಯಾರುನಾಮೆಯನ್ನು ಅಂಗೀಕರಿಸಿದ್ದೇನೆ.
M. P. Somasekhara Rao
M. P. Krishnaswamy
Nittur Srinivasa Rao

Supplied by B. Puttu Rao, B. City.

687 Revenue file
Misc 330-32

13

1st November 1932.

2nd

The accompanying Misc. Petition Appeal No. 7 of 1932-33, Registered No. 422 dated the 10th October 1932 received at the General and Revenue Secretariat from Kudli Ranga Bhatta, archak of Sri Brahmeswara Temple at Kudli, Shimoga Taluk appealing against the orders of the Muzrai Commissioner re- the Nanda Deepa amount due to him, is forwarded, together with its enclosures to the Muzrai Commissioner in Mysore for submission of entire records connected with the case.

By order,

for Secretary to Government,
~~Development~~ Revenue Department

P.H.

14

App. F. G. 9]

GOVT. OF H. H. THE MAHARAJA
OF MYSORE.

GEN. & REV. SECRETARIAT.

687 The one file

Mj 330-32-2

OFFICIAL MEMORANDUM.

* To be delightly 2/11/32 returned.

No..... ... ... + Ten abst No 7 of 32-33

The accompanying Petition Registered

No.... 422 ..... dated..... 10.1.07

received at the General and Revenue

Secretariat from.... Kudli Ganga

Bhatta Archakas etc

Sri Brahmeswara temple

at Kudli Shimoga

Dt. appealing against

the order of the H.C.

re: the Nanda deepa

amount due to

him

is forwarded, together with its enclosures

to the.....H.C.....

.....

.....for.....

of entire records connected

with the case —

By Order,

29/10

Secretary. to Govt

Ag dept

BANGALORE,

10.1.07.19..

[P. T. O.

16

notes of this office contained in the latter.

The appeal petition and its two enclosures are returned herewith.

I have the honor to be

Sir,

Your most obedient servant

Muzrai Commissioner.

T.S.I.

No. GENERAL AND REVENUE SECRETARIAT,

D.O. No. 1196 *Dated, Bangalore,* 8th February 1933.

Mis 330-32-4 17

Dear Sir,

Please refer to Note I in the concluding portion of the Appeal Petition dated 10th October 1932 filed by you on behalf of your client Ranga Bhatta, Archak of Sri Brahmeswara Temple, Kudli, Shimoga Taluk, - regarding the payment of arrears of Nanda Deepa amount stated to be due to him. I am desired to request you to kindly state before the 20th instant the additional grounds if any you wish to urge.

Yours faithfully,

8/2 for H.L.

M.P. Somasekhara Rao, Esq., B.A., LL.B.,
Advocate, Chickpet, Bangalore City.

Appendix F G—1]

SUBJECT .....

.....

.....

Section Mny

File No.

Serial No.

Diary No. of letter replied to .....

No 1196.

To Mr M. P. Somasekharam Rao BA. LL.B.
Advocate. Cuddapah
Bi Lorcey.

General and Revenue Secretariat

( )

the *193* .

Date of issue 8/2/33

Signed by .....

Dear Sir, — Please refer ~~I am directed to invite your refer~~ to Note 1 in the concluding portion of the Appl. pet^n of 10.10.32 filed by you on behalf of your Clients Ranga Bhatta on behalf of Sri Brahmeswara ~~Swami~~ temple Kusti Shimoga TK re the payment of arears of Nandadeepa amounts stated to be due to him. ~~I am~~ I am desired ~~directed~~ to request you to ~~to~~ before me 20th inst. Kindly state the additional grounds if any, ~~in the~~ ~~case~~

List of enclosures .....

Copied by .....

Examined by .....

20

Before the Government of His Highness the Maharaja of Mysore.

Muzrai Appeal No.7 of 1932-33.

Petitioner.

Kudli Ranga Bhatta,
Archak of Sri Brahmeswara temple,
Kudli, Shimoga Taluk.

S u b j e c t.

Appeal against the orders of the Muzrai Commissioner in the matter of the petitioner's claim for arrears of Nanda-deepa expenses in respect of Sri Brahmeswara temple, Kudli, Shimoga Taluk.

The case was called ~~for~~ on 11th November 1933- Mr.M.P. Somasekhara Rao, B.A., LL.B., Advocate for the petitioner was heard.

O R D E R.

No case is made out for reversing the order of the Muzrai Commissioner. The appeal is rejected.

Copy to the M.C. 937/Muz 330-32 S-L and one
B.O
S 9-1-34

For H Sce
938/Muz S 9-1-34
M.P. Somasekhara Rao B.A. LLB -
Copy to his ~~[illegible]~~
Advocate for the petitioner
B-O
For H Sce

18/1

(G)

29

6 Cases

Before the Government of His Highness the Maharaja of Mysore.

Muz Appeal No. 7 of 1932-33.

~~Appellant~~. ~~Vs.~~ ~~Respondent~~

Petitioner.

Hudli Ranga Bhatta,
Archak of Sri Brahmeshwara temple
Kudli - Shimoga Tk.

Subject.

~~Re: the petitioner's claim~~ Appeal against the order of the M.C. in the matter of the petitioner's claim for arrears of Nandadeepa expenses ~~claimed by the petitioner~~ in respect of Sri Brahmeshwara temple - Kudli Shimoga Tk.

The case was called on 11.11.33 - Mr. M.P. Somasekhara Rao B.A. LL.B. Advocate ~~Bangalore City appeared~~ for the petitioner ~~was~~ was heard ~~finally~~.

Order.

No case is made out for reversing the order of the M.C. The appeal is rejected.

GPB—1,000—3-3-11

8 1-34

Copy to the W. P. Immoveable Pr., B.A. Lab.
Advocate. for the petitioner.

22)

B. O

5/4/34

For Fl Sce

Mly 837; Mly 330-32 s. Inc. 4 files and one 8 1-34.
Copy to m.c. returning records received vide
his letter No. C 463/32-33 dy 23-1-33.

B-O

5/1/34

For Fl Sce.

21/1/34

22 pages